

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

CIVIL ACTION FILE NO. 1:12-CV-03536-SCJ

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ONEBEACON AMERICA INSURANCE COMPANY,  
a Massachusetts Corporation, as  
subrogee of GWINNETT CLEAN & BEAUTIFUL,  
a Georgia Corporation,

**COPY**

Plaintiff,

v.

D&C FIRE PROTECTION, INC.,  
a Georgia Corporation,

Defendant.

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DEPOSITION OF DANIEL L. ARNOLD, P.E., FSFPE

Atlanta, Georgia

May 24, 2013

Reported by:

JoRita B. Meyer, RPR, RMR, CRR, CCR

Job No. 1024893

1 started and observed and as told to me by  
2 Mr. Tanski, it started in the Eddy current.

3 Q. Okay.

4 A. And the fire spread along to involve  
5 the area concealed or obstructed by the paper  
6 line transfer duct, which was routed across the  
7 feed conveyor to the Eddy current at the end of  
8 the sorting conveyor --

9 Q. Okay.

10 A. -- at the mezzanine level of the  
11 recycling line.

12 Q. Okay. And so the pictures you've  
13 pulled here, these two, are you -- is it your  
14 opinion these represent the best of the  
15 pictures, so we can talk about those areas you  
16 just mentioned?

17 A. All these photographs I -- I selected  
18 show, in some measure, one of the areas I'm  
19 referring to, which is the concealed area  
20 created by the transfer belt.

21 MR. POULOS: Okay. So I'm going to  
22 mark this one here as Arnold 3.

23 (Exhibit marked: 3)

24 BY MR. POULOS:

25 Q. Let's talk about this picture here.

1           Q.     Oh.

2           A.     It enters -- the waste stream is  
3           conveyed up and dumps onto the conveyor belt at  
4           the opposing end of the building.

5                     MR. POULOS: Let me mark this.

6                     This is Arnold 4.

7                     (Exhibit marked: 4)

8           BY MR. POULOS:

9           Q.     Okay.

10          A.     The municipal waste is then conveyed  
11          down a long horizontal conveyor on the  
12          mezzanine level.

13          Q.     When you say "on the mezzanine  
14          level," the mezzanines you're pointing to are  
15          **visible in Exhibit 4?**

16          A.     The graded mezzanine level above the  
17          finished floor, where the man is standing in  
18          Exhibit 3, on the general elevation of the Eddy  
19          current and Eddy current feed belt that I  
20          indicated on Exhibit 3.

21          Q.     I'm sorry. I didn't understand that.  
22          **The man in the picture is standing on the**  
23          **floor?**

24          A.     Correct.

25          Q.     Okay. This is above the floor?

1           A.     Those steel chutes are open to a bin  
2     designated by debris type beneath the mezzanine  
3     as shown in this photograph --

4           **Q.     Okay.**

5           A.     -- that accumulates the separated  
6     recyclables.

7           MR. POULOS:   I'm marking this as  
8     Arnold 5.

9           (Exhibit marked: 5)

10          BY MR. POULOS:

11          **Q.     All right. And at this point in the**  
12     **progress, we are not any -- we're not to the**  
13     **end of the line, which is basically Exhibit 3,**  
14     **what Exhibit 3 depicts?**

15          A.     That's correct.

16          **Q.     Okay. And in this picture, Exhibit**  
17     **3, Mr. Arnold, would it be fair to say that the**  
18     **belt you just mentioned, Exhibit 4, is coming**  
19     **roughly toward us in the picture?**

20          A.     It's toward the Eddy current.

21          **Q.     Okay. The Eddy current being**  
22     **previously marked. Okay. Fine.**

23          A.     As the recyclable stream reaches the  
24     end of the separation stations, as shown in  
25     this photograph --

1 MR. POULOS: Okay. We need to mark  
2 this. Okay. Got it. Fine. So this is  
3 6.

4 (Exhibit marked: 6)

5 BY MR. POULOS:

6 Q. It's real important that we refer to  
7 the exhibits.

8 So now we've moved from 5 to 6, so  
9 you're saying as the -- I guess the debris has  
10 not yet been sorted or pulled off the line by  
11 hand?

12 A. The recyclables that have not been  
13 removed from the waste stream.

14 Q. Right. By hand?

15 A. By hand.

16 Q. Okay.

17 A. By hand sorting.

18 Q. This is what Exhibit -- so they're on  
19 Exhibit 6 on the conveyor?

20 A. And those recyclables include  
21 aluminum, plastic bottles, green and white, if  
22 I remember correctly.

23 It was generally explained to me by  
24 Ms. Wiggins during a tour, but I didn't focus  
25 on it other than it being of general interest.

1           **Q.     Okay.   So what happens after they**  
2           **reach the end of the line as depicted in 6?**

3           A.     The remaining debris that was not  
4           removed from the stream enters the feed belt  
5           for the Eddy current.

6           **Q.     Okay.   Which is the feed belt for the**  
7           **Eddy current in Exhibit 6?**

8           A.     It's beyond the yellow bracing on the  
9           mezzanine extension at the end of where you see  
10          this trash and debris sitting on the end of the  
11          feed belt.   So this trash and debris that you  
12          see in Exhibit 6, and also in what you're going  
13          to mark as Exhibit 7, I presume --

14               MR. POULOS:   Yep.   Let's do that.

15               (Exhibit marked:   7)

16               THE WITNESS:   -- is the end of the  
17          horizontal separation belt, we'll call  
18          it.

19   BY MR. POULOS:

20           **Q.     Okay.**

21           A.     Before the debris, remaining debris  
22          stream, enters the Eddy current.

23           **Q.     Okay.   And is the Eddy current feed**  
24          **belt visible on Arnold 7?**

25           A.     No, sir, it's beyond.

1           Q.     Okay. I'm going to, if you don't  
2           mind, take your red pen here and -- it's very  
3           difficult to see. Sorry. Actually, a black  
4           pen. I'm going to draw a circle around the top  
5           of what appears to be a diagonal conveyor  
6           coming up from the floor.

7                     Is that right?

8           A.     That is what you've drawn, but that's  
9           not the -- that is not the feed belt I'm  
10          referring to. That is the --

11          Q.     Okay.

12          A.     That is the transition point from the  
13          horizontal transfer duct from the paper line  
14          down to the paper station, which is shown in  
15          Exhibit -- I'm sorry, a different photograph  
16          you haven't marked yet. Excuse me.

17          Q.     Okay.

18          A.     Excuse me.

19                     (Exhibit marked: 8)

20          BY MR. POULOS:

21          Q.     Okay. This is Arnold 8. Okay. So  
22          the thing I have -- okay, on Exhibit 7, I drew  
23          a black circle, and you say that that is the  
24          belt depicted in -- or the diagonal conveyor  
25          depicted in Arnold 8?

1           A.     The top of the diagonal conveyor  
2 depicted in Arnold 8.

3           **Q.     All right. I'll draw a black circle**  
4 **around it and --**

5           A.     Let me make sure.

6           **Q.     Okay. Go ahead.**

7           A.     And here is a close-up of that  
8 transition from the horizontal transfer belt to  
9 the belt you've been referring to as a diagonal  
10 belt in Exhibit 8.

11                     (Exhibit marked: 9)

12 BY MR. POULOS:

13           **Q.     Okay. So, well, let's go back to**  
14 **Exhibit 7. So I've drawn the black circle**  
15 **around the top of that diagonal conveyor in 7.**

16                     **I moved to 8, and I have drawn a**  
17 **black circle in the upper left, which is the**  
18 **same belt coming into where I've drawn the**  
19 **black circle in 7.**

20           A.     That's correct. And you can see  
21 the -- the vertical sprinkler line that was  
22 added by D&C after the fire dropping down below  
23 the transfer belt both in Exhibit 8 and in  
24 Exhibit 9.

25           **Q.     Okay.**



1 The heat reached the ceiling, because we had  
2 120 sprinklers opening.

3 Q. Okay.

4 A. So certainly we had sufficient heat  
5 to reach the ceiling.

6 Q. Okay.

7 A. And we also had the products of  
8 combustion from an unsuppressed fire involving  
9 waste, including plastics and rubber belts,  
10 which is very dark, smoky products of  
11 combustion, which would have been the reason --  
12 what your calling char, much of it is staining,  
13 smoke staining, from the debris.

14 Q. Okay.

15 A. You can see in photograph -- this  
16 photograph.

17 MR. POULOS: Hold on a second. I  
18 don't know where we left off here.

19 MS. FULTZ: We're on 10.

20 MR. POULOS: On 10.

21 (Exhibit marked: 10)

22 BY MR. POULOS:

23 Q. Yes, in photograph 10?

24 A. Shows the amount of thermal damage,  
25 not -- the insulation is not consumed; it's not





EXHIBIT 3  
WIT: Amco  
DATE: 5-24-13  
Job: Bita Meyer, RMR, CRR, CCR





EXHIBIT 4  
WIT: *Amo*  
DATE: 5-24-13  
JoRita Meyer, RMR, CRR, CCR



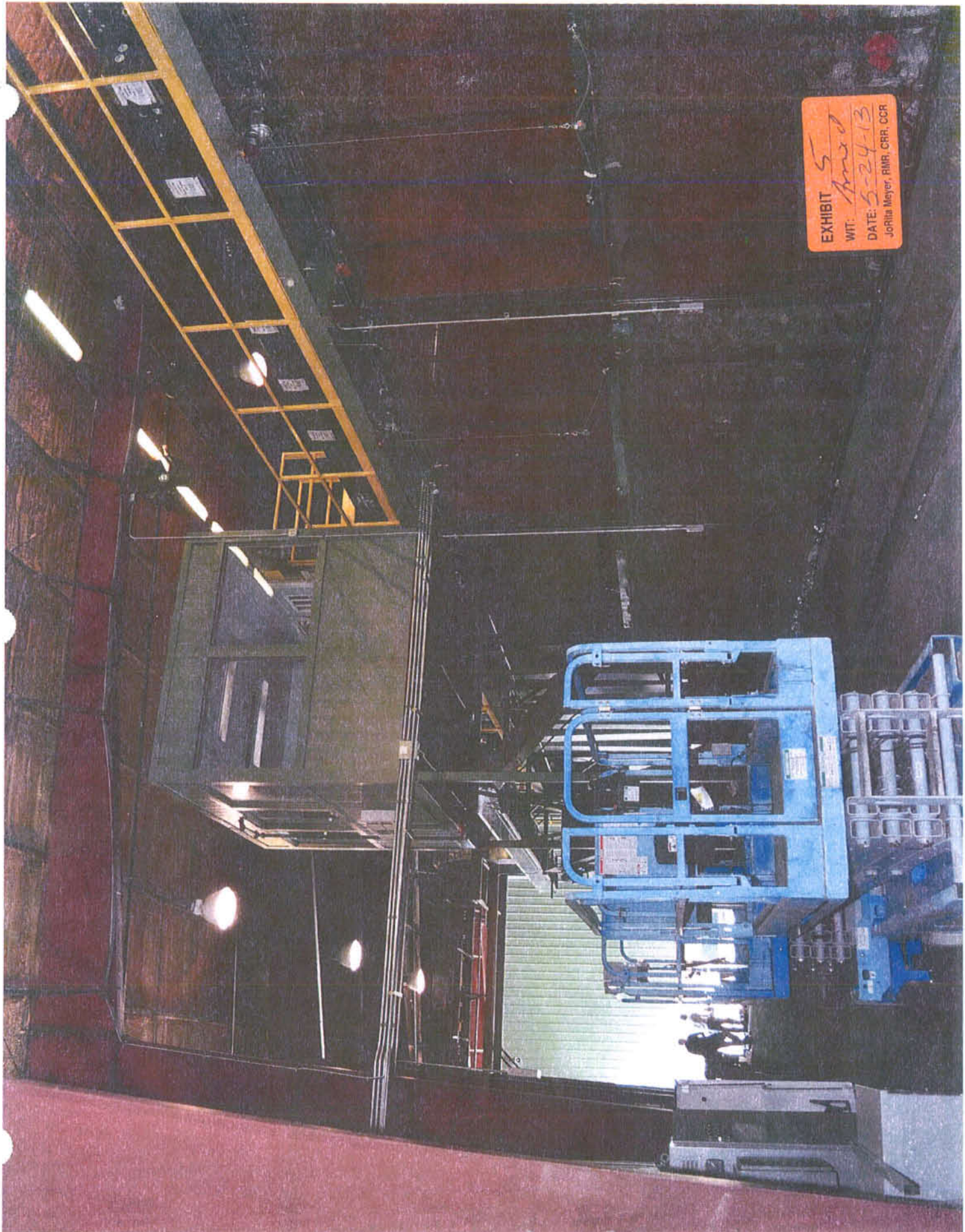


















EXHIBIT 9  
WIT: Arnold  
DATE: 5-24-13  
Jobina Meyer, FMR, CCR, CCR



